

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday October 1st, 2018

6:00 p.m.

Hampden Town Office

AGENDA

1. Meeting Minutes

a. Sept. 17th, 2018

2. Review & Sign Warrants

3. Unfinished Business

a. Council rules review – *standing item*

4. New Business

a. Recommend Council approval of the Edythe L. Dyer Community Library Meeting Rooms Policy – *requested by Library Director Lozito*

b. Recommend Council refer to public hearing the proposed amendments to the Fees Ordinance – *annual review*

c. Recommend Council refer to public hearing the proposed repeal of the Outdoor Wood Boiler Annual Licensing Ordinance – *requested by CEO Block*

d. Recommend Council refer to public hearing the proposed amendments to the Town Ways Ordinance – *recommended by Director Currier*

5. Manager's Items

6. Public Comment

7. Committee Member Comments

8. Adjournment

FINANCE & ADMINISTRATION COMMITTEE MEETING

Monday September 17th, 2018

6:00 p.m.

Hampden Town Office

MINUTES - DRAFT**Attending:**

Chairman McAvoy
Mayor McPike
Councilor Cormier
Councilor Marble
Councilor Ryder

Town Manager Chandler
Town Clerk Paula Scott

Absent:

Councilor Wright
Councilor Wilde

Chairman McAvoy called the meeting to order at 6:00 p.m.

1. Meeting Minutes

- a. Sept. 4th, 2018 – *Councilor Marble made a motion, seconded by Councilor Ryder to approve the 9/4 minutes. Unanimous, 5-0.*

2. Review & Sign Warrants – *Committee members reviewed and signed the disbursement warrants.***3. Unfinished Business**

- a. Council rules review – *standing item – Committee proposed starting at beginning of the Council Rules rather than Article 7. Members worked on the rules until the conclusion of the meeting.*

- i. Adoption of proposed restructured Council Rules
- ii. Article 7- Council Committees

4. New Business

- a. Update on the status of the FEMA disaster reimbursement claim –
No action

5. Manager's Items – *Discussed municipal building needs with committee. No action items.*

6. Public Comment - *None*

7. Committee Member Comments - *None*

8. Adjournment – *Chairman McAvoy adjourned the meeting at 6:55 p.m.*

Respectfully Submitted,

A handwritten signature in black ink that reads "Paula A. Scott". The signature is written in a cursive, flowing style.

Paula A. Scott, CCM
Town Clerk

HAMPDEN TOWN COUNCIL RULES

Introduction & Statement of Purpose - Public Service, even at the local level, can be challenging. As elected officials' sphere of influence and relationship with citizens ebbs and flows according to issues and policy topics, it is sometimes challenging for said officials to be even-handed and broad minded in the sense of the whole community. This is why government service at all levels is guided by core values and ethical standards. In keeping with that idea, the following defines the way in which Hampden elected officials shall approach the matters that come before them: *(Added 2/1/2016)*

A Simple Three Way Test

Is it the truth?

Is it fair to all concerned?

Will it be beneficial for the Town?

The Hampden Councilor...

Will not act out of spite, bias, or favoritism

Will contribute to a climate of mutual trust and respect

Has the courage of his/her convictions

Never forgets that he/she is working for the people – all of the people

Will understand and demonstrate the elements of teams and teamwork

Will clearly define roles and relationships

Will establish and abide by a Council-staff partnership

And will allocate Council time and energy appropriately.

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy. No action of the Council shall be binding or valid unless adopted by the majority vote of those present. *(Amended 9/19/2016)*
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the said item.
4. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:
 - a. Cell phones shall be silenced during Council & Committee meetings by Town Councilors, staff, and the general public.
 - b. Councilors and staff shall refrain from texting or emailing during all Council or Committee meetings.

- c. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
- 5. Town Councilors shall participate in Freedom of Access Act training within 120 days of being sworn in as a Town Councilor and documentation of that training shall be filed with the Town Clerk.
- 6. Town Councilors shall participate in Elected Officials training offered by the Maine Municipal Association within the first year of office. If a Councilor is unable to complete this training within the first year, the deadline may be extended upon petition by the Councilor and assent of a majority of the Council. *(Amended 2/1/2016)*
- 7. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.
- 8. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed to the following order of business:
(Amended 1/21/2014; 4/7/2014; 5/19/14)
 - A. Pledge of Allegiance
 - B. Consent Agenda
 - 1. Signatures – Treasurer’s Warrants, etc
 - 2. Secretary’s Report
 - 3. Communications
 - 4. Reports
 - C. Public Comments
 - D. Policy Agenda
 - 1. News, Presentations & Awards
 - 2. Public Hearings
 - 3. Nominations-Appointments – Elections
 - 4. Unfinished Business
 - 5. New Business
 - E. Committee Reports
 - F. Manager’s Report
 - G. Councilor Comments
 - H. Adjournment
- 9. In the absence of the Mayor, the Deputy Mayor shall preside over the Town Council meeting. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting. *(Amended 9/19/2016)*
- 10. When a question is under debate, the only motions that the Mayor shall entertain will be a motion to adjourn, or a motion to lay on the table the previous question, or to postpone the previous question to a day certain, or to refer the previous question to a committee or some administrative official or to amend, or a motion to postpone the previous question indefinitely. Motions shall have precedence in order in which they are introduced. *(Amended 9/19/2016)*
- 11. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and

when a motion of reconsideration is decided, that vote shall not be reconsidered.

12. When any member is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake.
13. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be so excused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
14. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
15. Any person wishing to address the Town Council will be given the opportunity to do so in accordance with the following procedure:
 - a. Persons wishing to address the Council on an item which appears on the agenda shall wait until the Mayor announces the consideration of such item, at which time they may address the Council on that particular item. There shall be a five minute limit on such comments per person, per item. In the event that a large number of persons wish to speak on an issue, this limit may be changed to insure that all who wish to speak have the opportunity to do so. Once public comment on an item has closed and a motion and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.
 - b. Any person wishing to address the Council on an item not appearing on the agenda shall be allowed to do so only in that section of the agenda referred to as "Public Comments". There shall be a five minute limit on such comments per person per subject raised. Items heard during Public Comment may be agendaed for a subsequent meeting or referred to a Committee or staff member for discussion/action. No votes may be taken by the Council on a subject raised during Public Comment without a vote by the Council to set aside the rules and add it to the regular agenda for consideration.
 - c. Any person wishing to address the Council shall signify their desire by raising their hand and, when recognized by the Mayor, such person shall thereupon request permission to address the Council, giving their name and the name of the road on which they live and then designating the subject matter on which they desire to address the Council. *(Amended 2/1/2016)*
16. At the commencement of the Calendar year, or as soon thereafter as possible, there shall be chosen the following Committees, each Committee to consist of three (3) or four (4) members of the Council as the Mayor may designate, or, upon a motion, the Council may ballot. *(Amended 2/1/2016)*

- a. Finance & Administration – The purpose of this Committee shall be to review all items related to their fiscal impact on the Town as well as all matters that pertain to items of administrative procedures. This committee will also have the responsibility for the review and signature of all payment warrants. *(Amended 9/19/2016)*
 - b. Services Committee – The purpose of this Committee shall be to review all matters related to services provided by the Town related to recreation, parks, trails, the library, the pool, communications and other items related to non-emergency or public works services provided in the community. *(Amended 2/1/2016, 9/19/2016)*
 - c. Infrastructure – The purpose of this Committee shall be to review all matters pertaining to public infrastructure including buildings, roads, and all town capital equipment.
 - d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
17. Committee procedure shall be governed as follows:
- a. All Committees will be required to post an agenda at least 48 hours prior to the meeting and no issue may be voted on unless it is agendaed.
 - b. It shall be the responsibility of the Committee Chair to discuss the development of the meeting agenda with the assigned staff person at least 24 hours before the meeting is required to be posted.
 - c. The assigned staff member shall prepare and post the agenda.
 - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within three business days.
 - e. Committee meeting minutes shall be posted on the Town website following their voted approval by the Committee.
 - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of an issue, providing that at least two of the three appointed members of the committee are present.
 - g. Two appointed members of the Committee shall constitute a quorum.
 - h. The Mayor shall serve as a member of all Committees for quorum purposes. *(Amended 2/1/2016)*
18. The Mayor may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council. *(Amended 2/1/2016)*
19. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, “Roberts Rules of Order” shall be taken as authority to decide the course of proceedings.
20. The first and third Mondays of each month are designated as ‘regular’ Council meetings with the provision that a unanimous vote of the Councilors present would cancel or reschedule a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day except upon unanimous vote of the Councilors present to cancel or reschedule the meeting. *(Amended 9/19/2016)*

21. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Bulletin Board, on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held). The agenda for a Special Meeting shall be prepared as follows;

- A. Call to order
- B. Subject(s) for meeting
- C. Adjourn

The general public shall be allowed to comment on subjects at Special meetings in the same manner as for Regular Council meetings. There shall be no general Public Comment section for items not contained on the agenda for Special Council meetings.

22. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.

23. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.

24. The Councilor Comment section of the agenda is reserved for the purpose of enabling any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken at this time.

25. Sanctions – Council members who intentionally and repeatedly do not follow council rules may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council. *(Added 2/1/2016)*

This policy replaces the Council Rules last updated February 1, 2016.

Adopted by Town Council: May 21, 2012

Amended: January 21, 2014
April 7, 2014
May 19, 2014
February 1, 2016
September 19, 2016

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

Introduction & Statement of Purpose - Public Service, even at the local level, can be challenging. As elected officials' sphere of influence and relationship with citizens ebbs and flows according to issues and policy topics, it is sometimes challenging for said officials to be even-handed and broad minded in the sense of the whole community. This is why government service at all levels is guided by core values and ethical standards. In keeping with that idea, the following defines the way in which Hampden elected officials shall approach the matters that come before them:

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And will allocate Council time and energy appropriately.

ARTICLE 1 Mayor/Deputy Mayor

1. At the commencement of the Calendar year, and pursuant to Section 204 of the Town Charter, the town's attorney shall preside over the town council's election of one of its members as Mayor for the ensuing year. The Mayor shall preside over all meetings of the Council at which he or she is present.
2. After the election of the Mayor, he or she shall preside over the election of Deputy Mayor. The Deputy Mayor shall serve as the presiding officer at any meeting at which the Mayor is absent and shall assume all duties of the Mayor until the Mayor is present. In the absence of the Deputy Mayor, the Mayor shall appoint, in advance, another Councilor to chair the meeting.
3. The Mayor shall recognize any Councilor who wishes to speak, shall state all motions that are before the assembly, rule on questions of parliamentary procedure and carry out all duties incumbent upon him under the laws of the State, the Town Charter, Town Ordinances, and the Rules of Procedure.

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

4. The Mayor shall take the chair at the appointed time for the meeting, call the members to order, and proceed with the order of business.

ARTICLE 2 Council

1. The Town Council shall only act by ordinance, order, or resolve. All ordinances, orders, and resolves shall be confined to one subject, which shall be clearly expressed in the title. All orders and resolves shall be dated, numbered, and signed by the Town Clerk and the Town Councilors will receive a copy. No action of the Council shall be binding or valid unless adopted by the majority vote of those present.
2. In all motions of command, the form of expression shall be 'ordered' and in all motions concerning principles, facts, or purposes, the form shall be 'resolved'.
3. Town Councilors shall, pursuant to 1 MRSA § 412, participate in Freedom of Access Act training through the Maine Municipal Association's Elected Officials Course within 120 days of being sworn in as a Town Councilor. Documentation of that training shall be filed with the Town Clerk.
4. A New Councilor orientation packet shall be provided to all Councilors at the time they are sworn in.

ARTICLE 3 Agenda

1. The Town Council meetings shall be guided by a written agenda in the order of the following items:
 - A. Pledge of Allegiance
 - B. Approval of Agenda
 - C. Consent Agenda
 1. Signatures – Treasurer's Warrants, etc.
 2. Secretary's Report Minutes
 3. Communications
 4. Reports Committee minutes
 - D. Public Comments
 - E. Policy Agenda
 1. News, Presentations & Awards
 2. Public Hearings
 3. Nominations-Appointments – Elections
 4. Old Unfinished Business
 5. New Business
 - F. Committee Reports
 - G. Manager's Report
 - H. Councilor Comments

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

I. Adjournment

5. Any subject may be placed on the agenda for a council meeting by a councilor, the town manager or at the request of any citizen. Any subject presented by a citizen must be received at the town office at least 5 calendar days prior to the council meeting. The agenda shall be prepared and posted in the town office at least one business day prior to a scheduled council meeting. The name of the Council member or other person, persons, or group requesting an item on the agenda will be indicated on the agenda with the item.
2. An item on the agenda may be taken up out of order by ~~unanimous consent~~ a majority of those present.
3. A non-agenda item may be added to the agenda on the night of the meeting by unanimous consent of all Councilors present.
4. Any item on the consent agenda can be set aside for discussion at the request of any Councilor, prior to a motion on the remainder of the consent agenda.
5. Special Town Council meetings, as defined under Article 4, shall be guided by a written agenda in the order of the following items:
 - a. Call to Order
 - b. Topic(s) of the Meeting
 - c. Adjourn

ARTICLE 4 Meetings and Decorum

1. The first and third Mondays of each month are designated as 'regular' Council meetings with the provision that a unanimous vote of the Councilors present would cancel or reschedule a meeting. Whenever a regular meeting falls on a legal holiday, such meeting will take place the following day except upon unanimous vote of the Councilors present to cancel or reschedule the meeting.
2. Special meetings of the Town Council may be scheduled for other dates for special purposes. The agendas for such meetings shall be posted at the Post Office, Town Office, Town Sign Board, and on the Town website, no less than 72 hours in advance of the meeting (unless an emergency meeting is needed for the purpose of dealing with an unanticipated Town emergency, in which case posting shall be to all normal posting locations and via email to local print media as soon as it is identified that a meeting will be held).

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

3. As a matter of courtesy, conduct for all Council and Committee meetings shall be as follows:
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 - iii. Cell phone use, texting, and email may be done during breaks in regular or special Council meetings or committee meetings.
4. In all cases where the parliamentary proceedings are not determined by the foregoing rules and orders, "Roberts Rules of Order" shall be taken as authority to decide the course of proceedings
5. When any Councilor is about to speak, they shall respectfully address the Mayor, confine themselves to the question under debate, and avoid personalities. No member speaking shall be interrupted by another but by a call to order, or to correct a mistake. ****discussion ended here on 9/17**
6. When any Councilor speaks to staff, consultants, or to members of the public who are in attendance, they shall do so in a respectful and professional manner, shall confine themselves to the question under debate, and avoid conduct unbecoming an elected representative of the Town.
7. Every member present, when a question is put, shall give their vote, unless the Council, for special reasons, shall excuse them. Application to be recused must be made before debate on the issue and the decision on the application shall be made by a majority vote of the council without debate.
8. The rules cannot be dispensed with or suspended if one or more members of the council shall object. No rule or order shall be amended or repealed without notice, in writing, being given at the preceding meeting.
9. Council Meetings shall not extend beyond 10 p.m. without an affirmative vote of the Town Council.
10. The Councilor Comment section of the agenda is reserved for any Council member to discuss matters not previously mentioned on the agenda. No official Council action can be taken during this portion of the meeting.

ARTICLE 5 Motions

1. The following motions do not require a second:

HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

- a. Nominations
 - b. Point of information
 - c. Point of order
 - d. Questions of privilege
 - e. Leave to withdraw a motion
2. The following motions are non-debatable:
 - a. Adjourn
 - b. Lay on the table
 - c. Filling in the blank
 - d. Point of information
 - e. Point of order
 - f. Question of privilege
 - g. Leave to withdraw a motion
3. When a question is under debate, the only motions that the Mayor shall entertain will be a motion to adjourn, or a motion to lay on the table the previous question, or to postpone the previous question to a date certain, or to refer the previous question to a committee or some administrative official or to amend, or a motion to postpone the previous question indefinitely. Motions shall have precedence in order in which they are introduced.
4. When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move a reconsideration thereof at the same, or the next stated meeting, but not afterwards; and when a motion of reconsideration is decided, that vote shall not be reconsidered.

ARTICLE 6 Public Participation

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HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

and second has been made by members of the Town Council, further public comment is only allowed if approved by a unanimous vote of the Town Council.

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ARTICLE 7 Council Committees

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HAMPDEN TOWN COUNCIL RULES OF PROCEDURE

- d. Planning & Development – The purpose of this Committee shall be to review all matters related to all ordinances of the Town and all proposals for economic & community development.
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 - c. The assigned staff member shall prepare and post the agenda.
 - d. Draft minutes of each meeting will be prepared by the staff member supporting the committee within a reasonable time.
 - e. Committee meeting minutes shall be posted on the Town website following their approval by the Committee.
 - f. Non-committee Council members attending a Committee meeting will have voting rights if they have been present for the entire discussion of an issue, providing that at least two of the three appointed members of the committee are present. Voting rights shall encompass the ability to make a motion or to second any motion.
 - g. Two appointed members of the Committee shall constitute a quorum.
 - h. The Mayor shall serve as a member of all Committees for quorum purposes.
 - i. The Mayor may appoint members of the Council and/or citizens of the Town to special committees as authorized by the Council.

ARTICLE 8 Sanctions

1. Council members who intentionally and repeatedly do not follow council rules, or whose conduct is that unbecoming an elected official, may be reprimanded or formally censured by the Council. Serious infractions of Council Rules could lead to other sanctions as deemed appropriate by the Town Council.

This policy replaces the Council Rules last updated September 19, 2016.

Adopted by Town Council: May 21, 2012

Amended: January 21, 2014
April 7, 2014
May 19, 2014
February 1, 2016
September 19, 2016
Date 2018

**Edythe L. Dyer Community Library
Meeting Rooms Policy**

1. Any group or organization seeking to use the facilities of the Edythe L. Dyer Community Library will coordinate dates and times with a member of the library staff, based on the following priorities:

- a. Library programs
- b. Hampden based non-profit organizations
- c. External non-profit organizations
- d. For-profit entities

2. Fee structure:

- a. Non-profit organizations during regular business hours—no charge (donations accepted)
- b. For-profit entities—\$50.00 for up to 3 hours during regular business hours
- c. Any use outside of regular business hours—\$50.00 per hour for up to 3 hours

3. All groups and organizations shall be responsible for setting up and cleaning up.

4. No alcoholic beverages are allowed on the premises.

Adopted by the Board of Trustees 10/1/1993; revised 12/1/1994; revised 11/10/2010; revised 1/8/2014; reviewed 11/9/2016; revised 9/18/2018

TOWN OF HAMPDEN, MAINE
FEES ORDINANCE

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Draft**The Town of Hampden Hereby Ordains
Proposed Amendments to the Fees Ordinance**Deletions are ~~Strikethrough~~ Additions Double Underlined

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ADOPTED: Hampden Town Council October 20, 1986
Effective: November 19, 1986

AMENDED: Hampden Town Council December 7, 1987
Effective: January 5, 1988

AMENDED: Hampden Town Council March 21, 1991
Effective: April 21, 1991

AMENDED: Hampden Town Council July 6, 1993
Effective: August 5, 1993

AMENDED: Hampden Town Council December 20, 1993
Effective: January 19, 1994

AMENDED: Hampden Town Council May 6, 1996
Effective: June 6, 1996

AMENDED: Hampden Town Council February 7, 1998
Effective: March 18, 1998

AMENDED: Hampden Town Council November 17, 2003

	Effective: December 17, 2003	
AMENDED:	Hampden Town Council March 21, 2005 Effective: April 20, 2005	
AMENDED:	Hampden Town Council April 4, 2005 Effective: May 4, 2005	
AMENDED:	Hampden Town Council October 6, 2008 Effective: November 5, 2008	
AMENDED:	Hampden Town Council June 15, 2009 Effective: July 15, 2009	
AMENDED:	Hampden Town Council August 3, 2009 Effective: September 2, 2009	
AMENDED:	Hampden Town Council January 19, 2010 Effective: February 18, 2010	
AMENDED:	Hampden Town Council September 19, 2011 Effective: October 19, 2011	8.8.4, 8.9, 8.10, 8.11, 8.15, 8.16.1, 8.16.3, 8.16.5 (new 8.11 added and remainder of Article 8 re-numbered)
AMENDED:	Hampden Town Council April 23, 2012 Effective: May 23, 2012	New 1.13 added and remainder of Article 1 re-numbered, 3.5, 3.6, 3.7, 3.8, 7.2, 7.3, added 7.4 and 7.5
AMENDED:	Hampden Town Staff, November 27, 2012 Effective: December 27, 2012	Deleted Article 8.12 and 8.13
AMENDED:	Hampden Town Council, April 22, 2014 Effective: May 22, 2014	Articles 6.2, 6.3 and 6.4
AMENDED:	Hampden Town Council, September 2, 2014 Effective: October 2, 2014	Articles 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, and 8.16
AMENDED:	Hampden Town Council, December 1, 2014 Effective: December 31, 2014	Articles 3.1, 3.3, 3.5, 3.7 and 3.8; 3.9 and corrected numbering of Article 3; and Articles 4.2, and 4.4
AMENDED:	Hampden Town Council, February 16, 2016 Effective March 17, 2016	Article 2.9
AMENDED:	Hampden Town Council, April 19, 2016 Effective May 19, 2016	Articles 1.8, 1.9, 1.15 (new), 2.3, 2.5, 2.7, 2.8, 2.13, 5.1, 5.2, 8.1, 8.3, 8.4, 8.6, 8.7, 8.10, 8.14, and 8.16
AMENDED:	Hampden Town Council, May 16, 2016 Effective June 16, 2016	Articles 2.6, 2.12.2, 2.12.4, 2.16.2, 2.16.4, 2.16.5, and 2.16.8
AMENDED:	Hampden Town Council, September 8, 2016 Effective October 8, 2016	Article 6.3.8, 6.3.9, and 6.4.4
AMENDED:	Hampden Town Council, February 21, 2017	Articles 6.2.1- 6.2.7, 6.3.1 – 6.3.4, 6.3.11

Effective March 21, 2017

AMENDED:	Hampden Town Council, May 15, 2017 Effective June 14, 2017	Preamble, Articles 1.2, 1.6, 1.10, 1.16, 1.17 2.9.1, 2.9.3, 2.9.4, 2.9.5, 2.12, 2.12.4 – 2.12.6, Footnote 1, 2.15, 2.16.2.1 – 2.16.2.5, 2.16.4, 2.16.4.1 – 2.16.4.3, 2.16.5, 2.16.9, 2.16.9.1 – 2.16.9.2, 2.16.10.4, Footnote 2, 2.16.10.4.1 – 2.16.10.4.4, 2.16.11.1, 2.16.12, 2.16.12.1 – 2.16.12.3, 5.2.5
AMENDED:	Hampden Town Council, August 7, 2017 Effective September 6, 2017	Article 2.1
AMENDED:	Hampden Town Council, November 6th, 2017 Effective December 5 th , 2017	Preamble, Article 1.12, 1.13, 1.16, 2.10.1 - 2.10.3, 2.11.1, 5.2.2-5.2.3, 8.2 – 8.12, 8.14, 8.16, 8.16.2, 8.16.5
AMENDED:	Hampden Town Council, July 2, 2018 Effective August 1, 2018	Article 2.12.6, 2.16.8 (site plan), 2.16.11 (deleted commercial secure landfill applications), 2.16.9 (added conditional use)
AMENDED:	Hampden Town Council, Oct. 15, 2018 Effective November 14, 2018	Article 1.2.1, 1.2.2, 1.2.3, 1.7, 2.6.2, 2.6.3, 2.6.4, 7.6, 7.6.1, 7.6.2, 7.6.3

CERTIFIED BY: Paula A. Scott
Paula Scott, Town Clerk

Affix Seal

TOWN OF HAMPDEN, MAINE FEES ORDINANCE

The Town of Hampden hereby ordains:

In addition to those Town fees and charges, the authorization of which is provided for by Town Ordinances, the following schedule of fees for Town services is approved:

Exemptions: All Town Government activities and projects shall be exempt from these fees except in the case where Maine Statutes dictate otherwise. Organizations located in Hampden with a not-for-profit status recognized by the Internal Revenue Service pursuant to 501(c)(3) shall be exempt from building permit fees (2.16.1), demolition fees (2.16.2(1-3)), sign permit fees (2.16.3), fees for certificates of occupancy and compliance (2.16.4) and additional inspection fees (2.16.5) *(Amended 11/6/17)*

ARTICLE 1 ADMINISTRATION

Amended 11-17-03, 3-21-05, 6-15-09, 4-23-12, 4-19-16, 5-15-17

Please note: Fees for items which are state regulated are subject to change without notice

- | | | |
|------|--|--|
| 1.1. | Business or Corporation <u>Sole Proprietor</u> filing <i>(Amended 10/15/2018)</i> | \$10.00 (State Regulated) |
| 1.2. | Copy of (Marriage/Birth/Death) <u>Certificate</u> <u>Vital Record</u> <i>(Amended 5/15/17) (Amended 10/15/2018)</i> | |
| | 1.2.1. <u>Certified Copy</u> <i>(Amended 10/15/2018)</i> | \$15.00 (State Regulated) |
| | 1.2.2. <u>Each additional copy purchased the same day</u>
<i>(Amended 10/15/2018)</i> | \$ 6.00 (State Regulated) |
| | 1.2.3. <u>Attested Copy</u> <i>(Amended 10/15/2018)</i> | \$10.00 (State Regulated) |
| 1.3. | Copy of Subdivision Ordinance | At Cost |
| 1.4. | Copy of Zoning Ordinance | At Cost |
| 1.5. | Copy of other ordinances | |
| | 1.5.1. up to 20 pages | \$0.25/page |
| | 1.5.2. and a page after that | \$0.15/page |
| 1.6. | Photocopies | |
| | 1.6.1. 8 1/2 inch x 11 inch or smaller (B&W) | \$0.25/page |
| | 1.6.2. 8 1/2 inch x 14 inch (B&W) | \$0.50/page |
| | 1.6.3. 11 inch x 17 inch (B&W) | \$0.75/page |
| | 1.6.4. 8 1/2 inch x 11 inch or smaller (color) <i>(Amended 5/15/17)</i> | \$1.00/page |
| | 1.6.5. 8 1/2 inch x 14 inch (color) <i>(Amended 5/15/17)</i> | \$1.25/page |
| 1.7. | <u>Marriage License</u> <i>(Amended 10/15/2018)</i> | <u>\$40.00 (State Regulated)</u> |
| 1.8. | Notary Fee | Free for Hampden residents
\$3.00 for non-residents |
| 1.9. | Record Search | \$15.00/hour (for hours over 1) |

1.10.	Recording of Pole Permits <i>(Amended 5/15/17)</i>	\$4.00
1.11.	Tax Maps	
1.11.1.	(11 inch x 17 inch)	\$50.00/complete set
1.11.2.	(24 inch x 36 inch) <i>(Amended 05/15/17)</i>	\$8.00 map
1.12.	Compact Disk copies of ordinances, documents or recorded meetings (audio only) <i>(Amended 11/6/17)</i>	\$5.00
1.13.	DVD copies of video recorded meetings <i>(Added 4/23/12)</i> <i>(Amended 11/6/17)</i>	\$5.00
1.14.	Liquor License <i>(Amended 6/15/09)</i>	
	(Public hearing not required)	\$ 50.00
	(Public hearing is required)	\$125.00 <u>\$150.00</u>
1.15.	Incoming Faxes	\$1.00/page
1.16.	Hunting on Town Land Authorization and Map Book <i>(Amended 5/15/17) (Amended 11/6/17)</i>	\$12.00 (resident) \$17.00 (non-resident)
1.17.	Dog Licensing:	
1.17.1.	Spayed/Neutered dog <i>(Amended 5/15/17) (Amended 10/15/18)</i>	<u>\$ 3.00</u> (State Regulated)
1.17.2.	Male/Female dog <i>(Amended 5/15/17) (Amended 10/15/18)</i>	<u>\$ 11.00</u> (State Regulated)
1.17.3.	Late Fee <i>(Amended 5/15/17) (Amended 10/15/18)</i>	<u>\$25.00</u> (State Regulated)

ARTICLE 2 FEES FOR ACTIVITIES REGULATED BY TOWN ORDINANCE

Amended 11-17-03, 3-21-05, 6-15-09, 8-3-09, 4-19-16, 05/15/17

2.1. **Animal Control Ordinance**

2.1.1. Animal Impoundment Fee (<i>Amended 8/7/17</i>)	\$35.00 First offense \$45.00 Second offense \$55.00 Third offense
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2.2. **Cable Television Ordinance**

2.2.1. Initial Franchise Application Filing Fee	\$500.00
2.2.2. Renewal Franchise Application Filing Fee	\$500.00
2.2.3. Modification of a Franchise Agreement	\$500.00
2.2.4. Combined Filing Fee for participating towns	\$7,000.00

2.3. **Cemetery Ordinance**

2.3.1. Lot Fees including perpetual care.	
2.3.1.1. Resident	\$325.00
2.3.1.2. Resident - Infant or Cremation	\$325.00
2.3.1.3. Non-Resident	\$450.00
2.3.1.4. Non-Resident Infant or Cremation	\$450.00
2.3.2. Interment fees	
2.3.2.1. Grave Openings Weekdays Adult	\$400.00
2.3.2.2. Grave Openings Weekdays Infant or Cremation	\$125.00 <u>\$150.00</u>
2.3.2.3. Grave Openings Weekends or Holidays Adult	\$600.00
2.3.2.4. Grave Openings Weekends or Holidays Infant or Cremation	\$200.00 <u>\$300.00</u>
2.3.3. Town Crypt Fees	
2.3.3.1. Resident	Free
2.3.3.2. Non-Resident	\$50.00
2.3.4. Disinterment	\$1,000.00
2.3.5. Vault Cremation	\$400.00
2.3.6. Public Works Dept. Cemetery Crew Labor After 3:00 PM	\$35.00/hour <u>person</u>

2.4. **Concourse Gathering Ordinance**

2.4.1. Concourse Gathering Permit Fee	\$100.00
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2.5. **Floodplain Management Ordinance**

2.5.1. Application Fee	\$100.00
2.5.2. Experts Fee	\$500.00 horizontal review \$1,000.00 vertical review and horizontal review. This is a draw account established for a professional to establish flood elevation data where possible. Any unspent funds are to be returned to the applicant
2.5.3. Cost for public notices and mailings (<i>Any "at cost" fee must be paid to the Town before the issuance of approved permits or variances, or action on a board order is undertaken</i>).	At cost

2.6. Harbor Ordinance

2.6.1. Private mooring	\$100.00 annual fee.
2.6.2. Unattended tie-ups (Added 10/15/2018)	\$25.00 - \$100.00/day
2.6.3. Moorings violation (Added 10/15/2018)	\$25.00 - \$100.00/violation
2.6.4. Willful destruction of channel marker/buoy (Added 10/15/18)	\$100.00 - \$200.00/violation

2.7. Historic Preservation Ordinance

2.7.1. Certificate of Appropriateness Application Fee	\$75.00
2.7.2. Historic Site or Landmark Designation Application Fee	\$150.00
2.7.3. Cost of public notices and mailings	At cost

2.8. Mobile Home Park Ordinance

2.8.1. Annual Mobile Home Park License (This includes application review, initial inspection of premises and a follow-up inspection).	\$200.00
2.8.2. Additional Inspection Fee (If the town needs to perform additional inspections as a result of applicant deficiencies, each inspection will be charged prior to the inspection).	\$200.00

2.9. Sewer Ordinance (Amended 8/3/09, 2/16/16)

2.9.1. Sewer Service Charge Rate (Amended 8/3/09) (Amended 5/15/17)	\$11.60 per 100 cubic feet of water (c.f.w.) consumed as indicated by consumer's water meter.
2.9.1.1. Sewer Charge Flat Rate Town Water No Meter (Amended 5/15/17) (Amended 10/15/2018)	\$111.29
2.9.1.2. Sewer Charge Flat Rate Well Water No Meter (Amended 5/15/17)	\$182.66
2.9.2. Sewer Service Capital Charge (Deleted 10/15/2018)	
2.9.2.1. Base Rate for 1 to 2,999 c.f.w. consumed	\$0.00
2.9.2.2. 3,000 to 5,999 c.f.w. consumed (double base)	\$0.00
2.9.2.3. 6,000 to 8,999 c.f.w. consumed (triple base)	\$0.00
2.9.2.4. Other c.f.w. amount	\$0.00
2.9.3. Sewer Service Minimum Charge Rate (Amended 5/15/17)	\$31.39
2.9.4. Sewer Service "Ready to Serve" Charge (Amended 5/15/17)	\$31.39
2.9.5. Special Sewer Service Charge (Sewer Ord. Sec. 10.4) (Amended 5/15/17)	As determined by Town Council.
2.9.6. Sewer Service Charge Rate Outside Town Limits	As determined by Town Council.

2.10. Solid Waste Flow Control Ordinance

2.10.1. License Application Fee (initial one-time fee, Per Company, up to 4 Vehicles) (Amended 5/15/17) (Amended 11/6/17)	\$200.00
2.10.2. License Application Fee (initial one-time fee, Per Company, more than 4 Vehicles) (Amended 11/6/17)	\$250.00
2.10.3. Annual License Fee Per Vehicle (Amended 5/15/17) (Amended 11/6/17)	\$ 50.00

2.11. Special Amusement Ordinance (Amended 11/6/17)

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| 2.11.1. Permit Application Fee (Public Hearing Required) | \$125.00 |
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2.12. Subdivision Ordinance

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| 2.12.1. Subdivision Sketch Plan | No Charge |
| 2.12.2. Minor Subdivision <i>(Amended 5/15/17)</i> | \$100.00 plus \$20.00/lot |
| 2.12.3. Minor Subdivision Review/Inspection Draw | Not required |
| 2.12.4. Major Subdivision Preliminary Plan | |
| 2.12.4.1 on existing road <i>(Amended 5/15/17)</i> | \$150.00 plus \$50.00/lot |
| 2.12.4.2 with new road | \$500.00 plus \$50.00/lot |
| 2.12.4.3 Draw Account Deposit (for technical review) ^{1, 2, 3}
<i>(Amended 5/15/17)</i> | \$2,000.00 |
| 2.12.5 Major Subdivision Final Plan <i>(Amended 5/15/17)</i> | |
| 2.12.5.1 Following Preliminary Plan | \$150.00 plus \$20.00 per lot |
| 2.12.5.2 If no Preliminary Plan | \$500.00 plus \$50.00 per lot |
| 2.12.5.3 Draw Account Deposit (for technical review) ^{1, 2, 3} | None if Preliminary Plan
completed and no significant
modifications to infrastructure
made; otherwise \$2,000.00. |
| 2.12.6. Draw Account Deposit for Construction Inspections ^{2, 3}
<i>(Required prior to the start of construction
 for any subdivision with infrastructure that
 is proposed to be accepted by the Town of Hampden.)
 (Amended 7/2/18)</i> | \$5,000.00 |
| 2.12.7 Cost for public notices and mailings <i>(Amended 5/15/17)</i> | At cost |

2.13. Victualers Ordinance (Amended 6/15/09, 4/19/16)

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|-----------|--------------------------------------|----------|
| 2.13.1. | Virtualers License Application | |
| 2.13.1.1. | Public hearing not required | \$100.00 |
| 2.13.1.2. | Public hearing is required | \$150.00 |
| 2.13.1.3. | Cost for public notices and mailings | At cost |

The above fees include all inspections required by Town of Hampden Victualers Ordinance. If an inspection is performed and the Code Enforcement Officer or Fire Inspector, or their alternate, believe a reinspection is needed because of a fault of the applicant or agent then a fee per 2.16.5 will be charged and due prior to the issuance of the Victualers License.

2.14. Waste Disposal Facility Licensing Ordinance

- 2.14.1. Application Fee \$50,000.00
This is a draw account to be used by the Council to hire consultants as necessary to review the proposal. If at any time balance drops to \$10,000.00 the applicant shall deposit an additional \$10,000.00. Any unexpended balance shall be returned after a final decision on the application is rendered.

2.15. Zoning Ordinance

2.15.1. Building Permit Applications for all Construction	\$25.00 plus \$0.10 per sq. ft. of total building area including but not limited to finished areas, basements, attics, decks, pools, porches, sheds, garages, etc.
<i>(Plumbing Permit Application)</i>	<i>State Regulated</i>
2.15.2. Demolition/Earth Moving Permit Application	
2.15.2.1 Demolition (residential-with sewer connection) <i>(Amended 5/15/17)</i>	\$100.00
2.15.2.2 Demolition (residential-no sewer connection) <i>(Amended 5/15/17)</i>	\$50.00
2.15.2.3 Demolition (commercial) <i>(Amended 5/15/17)</i>	\$150.00
2.15.2.4 Earth Moving (Code Enforcement Issued) <i>(Amended 5/15/17)</i>	\$100.00
2.15.2.5 Earth Moving (Planning Board Issued) <i>(Amended 5/15/17)</i>	\$200.00
2.15.3. Sign Permit Application	\$25.00 per sign
2.15.4. Certificate of Compliance or Occupancy	
2.15.4.1 Certificate of Compliance Application <i>(Amended 5/15/17)</i>	\$100.00
2.15.4.2 Certificate of Occupancy Application <i>(Amended 5/15/17)</i>	\$100.00
2.15.4.3 Dual applications (filed together) <i>(Amended 5/15/17)</i>	\$150.00
2.15.5. Additional Inspections <i>(If the town needs to perform additional inspections as a result of applicant deficiencies). (Amended 5/15/17)</i>	\$35.00 per hour per inspector
2.15.6. Zoning Board of Appeals Variance Application	
2.15.6.1 General Variance	\$250.00
2.15.6.2 Dimensional Variance	\$250.00
2.15.6.3 Disability Variance	Free
2.15.6.4 Administrative Appeal Application	\$250.00
2.15.6.5 Cost for public notices and mailings	At cost
2.15.7. Zoning Ordinance Map Amendment Request <i>(Amended 5/15/17)</i>	
2.15.7.1 Amendment Application <i>(Amended 5/15/17)</i>	\$650.00
2.15.7.2 Cost for public notices and mailings	At cost
2.15.8. Site Plan Review Applications <i>(Amended 7/2/18)</i>	
2.15.8.1 Minor Revision	\$75.00

2.15.8.2	Minor Site Plan	\$150.00
2.15.8.3	Major Site Plan	
2.15.8.3.1	Less than 1 acre of land disturbance	\$300.00
2.15.8.3.2	1 to < 3 acres of land disturbance	\$600.00
2.15.8.3.3	3 to < 5 acres of land disturbance	\$850.00
2.15.8.3.4	5 to < 8 acres of land disturbance	\$1,200.00
2.15.8.3.5	8 acres or more of land disturbance	\$1,500.00
2.15.8.4	Draw Account Deposit (for technical review) ^{1, 2, 3} <i>(Amended 5/15/17)</i>	
2.15.8.4.1	General Engineering <i>(Amended 5/15/17)</i>	\$800.00
2.15.8.4.2	Stormwater Analysis <i>(Where proposed use disturbs more than 20,000 sq. ft. of land). (Amended 5/15/17, 7/2/18)</i>	\$600.00
2.15.8.4.3	Traffic Analysis <i>(Where proposed use will generate at least 350 average daily trip ends). (Amended 5/15/17)</i>	\$1,000.00
2.15.8.4.4	Construction Inspections ^{2, 3} <i>(Where proposal includes any infrastructure proposed to be accepted by the Town of Hampden.) (Amended 7/2/18)</i>	\$5,000
2.15.8.5	Cost for public notices and mailings <i>(Amended 5/15/17)</i>	At cost
2.15.9	Conditional Use Applications <i>(Amended 7/2/18)</i>	
2.15.9.1	Conditional Use without site plan	\$75
2.15.9.2	Conditional Use with site plan <i>(This is in addition to the site plan review application fee)</i>	\$50
2.15.9.3	Cost for public notices and mailings	At Cost

¹ In addition to the Planning Board application fees the applicant must make a deposit for a Peer Technical Review draw account when the nature of the review exceeds the technical capability of Town personnel. Applications which require subsequent re-review of additional information, or amended submittals shall be responsible to provide additional funds to cover the full peer review costs. *(Amended 5/15/17)*

² Upon exhausting in excess of 75% of the funds in the original deposit, the applicant shall provide additional funding in increments of 50% of the original deposit. *(Amended 5/15/17)*

³ Any remaining funds held in the draw account upon endorsement of the plan (for technical review accounts) or issuance of a certificate of compliance (for construction inspections), after all invoices are paid, shall be returned to the applicant. *(Amended 5/15/17, 7/2/18)*

ARTICLE 3
FIRE DEPARTMENT
Amended 11-17-03, 4-4-05; 4-23-12; 12-1-14

- 3.1. **DELETED** (*Amended 12-1-14*)
- 3.2. **Report Copies** \$10.00
- 3.3. **DELETED** (*Amended 12-1-14*)
- 3.4. **Fee for pumping: 1 time emergency** Free
- 3.5. **DELETED** (*Amended 12-1-14*)
- 3.6. **Advanced Life Support 1 Rates** (*Amended 4-23-12*)
- 3.6.1. ALS 1 Base Rate \$685.00
- 3.6.2. ALS 2 Base Rate \$885.00
- 3.6.3. ALS Non-Emergency Rate \$475.00
- 3.6.4. ALS Mileage \$ 17.00
- 3.6.5. ALS Backup Fee \$100.00
- 3.7. **Basic Life Support Rates** (*Amended 4-23-12; 12-1-14*)
- 3.7.1. BLS Base Rate \$550.00
- 3.7.2. BLS Non-Emergency Rate \$450.00
- 3.7.3. **DELETED** (*Amended 12-1-14*)
- 3.7.4. BLS Mileage \$ 17.00
- 3.8. **Ambulance Stand-by fee for special events** \$143.06 per EMS staff member
(*Amended 4-23-12; 12-1-14*) per 0 to 4 hour event. Each
additional 0 to 4 hour event
shall be billed at an additional
\$143.06 per EMS staff member.
- 3.9. **DELETED** (*Amended 12-1-14*)

ARTICLE 4
POLICE DEPARTMENT
Amended 11-17-03; 12-1-14

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|-------------|---|--|
| 4.1. | <i>Report Copies</i> (accident or criminal) | \$10.00 for the first page
plus .25 per page
thereafter |
| 4.2. | <i>Special Detail</i> (Dances, games, guard duty, etc.) <i>(Amended 12-1-14)</i> | \$143.06 per officer for the first
two hours. Each additional hour
shall be billed at the current
average overtime rate plus
administrative fee. |
| 4.3. | <i>Concealed Weapons (Hand Gun) Permit</i> | |
| | 4.3.1. First Permit - State Maximum | \$35.00 |
| | 4.3.2. Renewal | \$20.00 |
| 4.4. | <i>DELETED</i> <i>(Amended 12-1-14)</i> | |

**ARTICLE 5
PUBLIC WORKS**
Amended 11-17-03, 4-19-16

5.1. Additional Fees

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|--------|--|--|
| 5.1.1. | Public Works Dept. Labor After 3:00 PM | \$200.00 per person (up to 4 hours); \$50.00 per person per hour for every hour above 4. |
| 5.1.2. | Street Opening/Utility Connection Permit | \$50.00 |
| 5.1.3. | Sewer Connection | Determined based on proposed use and flow in accordance with Sewer Connection Fee Calculation Worksheet and Sewer Connection Fee Schedule. |

5.2. Solid Waste Fees

- | | | |
|--------|---|------------------------------------|
| 5.2.1. | (DELETED 11/6/17) | Refer to Article 2 |
| 5.2.2. | (DELETED 11/6/17) | Refer to Article 2 |
| 5.2.3. | (DELETED 11/6/17) | Refer to Article 2 |
| 5.2.4. | Resident Transfer Station Decal (Amended 10/15/2018) | \$10.00 <u>\$100.00</u> |
| 5.2.5. | Replacement of lost Transfer Station Decal
(Amended 5/15/17) | \$5.00 |

ARTICLE 6
RECREATION
Amended 11-17-03, 4-22-14

6.1. Recreation Fee Waiver Policy: Any person interested in any Hampden Recreation program that feels they do not have the financial means to afford the full fee shall receive a waiver at the sole discretion of the Recreation Director. Full or partial fee waivers may be given as determined by financial need and the recreation program for which the waiver is requested.

6.2. Program Fees:

6.2.1. Kids Kamp (full week) <i>(Amended 2-21-17)</i>	\$140.00-\$160.00
6.2.2. Kids Korner AM Program (day) <i>(Amended 2-21-17)</i>	\$ 8.00-\$11.00
6.2.3. Kids Korner PM Program (day) <i>(Amended 2-21-17)</i>	\$12.00-\$15.00
6.2.4. Kids Korner Half Day Program (12-6 PM) (day)	\$25.00-\$30.00
6.2.5. Kids Korner Full Day Program (7 AM-6 PM) (day)	\$40.00-\$45.00
6.2.6. Team Sport-Resident (depend on session length)	\$35.00-\$40.00
6.2.7. Team Sport-Non Resident (depend on session length)	\$40.00-\$45.00
6.7.8. Program Registration Late Fee (per person, per program)	\$10.00

6.3. Skehan Recreation Center Fees:

(all requests are subject to availability and require advance written reservation contract and payment)

6.3.1. Gymnasium Rental-1/2 Gym <i>(Amended 2-21-17)</i>	\$25.00-\$40.00/hour
6.3.2. Gymnasium Rental-Full Gym <i>(Amended 2-21-17)</i>	\$50.00-\$75.00/hour
6.3.3. Allen Fitness Room Rental <i>(Amended 2-21-17)</i>	\$25.00-\$40.00/hour
6.3.4. Interior Classroom Rental <i>(Amended 2-21-17)</i>	\$25.00-\$40.00/hour
6.3.5. Gymnasium Rental Full Day	negotiated at contract
6.3.6. Allen Fitness Room Rental Full Day	negotiated at contract
6.3.7. Interior Classroom Rental Full Day	negotiated at contract
6.3.8. Affiliated Program Rental 1/2 Gym	negotiated at contract
6.3.9. Affiliated Program Rental Full Gym	negotiated at contract
6.3.10. Gymnasium Rental-Multi Day/Multi Week	negotiated at contract
6.3.11. Private Party Rental <i>(Amended 2-21-17)</i>	\$100.00-\$150.00
2 hours full gym includes classroom for any food consumed	

6.4. RESERVED Outdoor Play Field/Space Rental Fees: Ball Field or Soccer Field

(all requests are subject to availability and require advance written reservation contract and payment)

6.4.1. Single Field/Single Game-Resident	\$25.00
6.4.2. Single Field/Full Day-Resident	\$50.00
6.4.3. Single Field-Multi Day/Multi Week-Resident	negotiated at contract
6.4.4. Affiliated Program Rental	negotiated at contract
6.4.5. Single Field/Single Game-Non Resident	\$50.00
6.4.6. Single Field/Full Day- Non Resident	\$100.00
6.4.7. Single Field-Multi Day/Multi Week-Non Res.	negotiated at contract
6.4.8. Single Field-Light Use	\$15.00 per event

ARTICLE 7
LIBRARY

Amended 11-17-03, 1-19-10; 4-23-12

7.1.	<i>Library Fees</i>	
7.1.1.	Resident Annual Fee	Free
7.1.2.	Non-Resident Annual Fee	\$35.00/year
7.1.3.	Overdue Fees	
7.1.3.1.	Books and Periodicals	\$0.10/day
7.1.3.2.	Audio or Video	\$0.10/day
7.1.3.3.	Maximum Overdue Fee	\$3.00/item
7.2	<i>Self-service Photocopies</i> <i>(Amended 4/23/12)</i>	\$0.25/page
7.3	<i>Self-service Printer Pages</i> <i>(Amended 4/23/12)</i>	\$0.25/page
7.4	<i>Self-service Sending of Faxes</i> <i>(Added 4/23/12)</i>	
7.4.1.	Within United States	\$1.00/page
7.4.2.	International	\$2.00/page
7.5	<i>Receiving of Faxes</i> <i>(Added 4/23/12)</i>	Not Allowed
7.6	<i>Meeting Room Use</i> <i>(Added 10/15/2018)</i>	
7.6.1	Non-profit organizations during business hours	No Charge
7.6.2	For-profit organizations during business hours	\$50.00/up to three hours
7.6.3	Any use outside of business hours	\$50.00/hour

ARTICLE 8
POOL

Amended 11-17-03, 4-4-05, 10-6-08, 9-19-11, 11-27-12, 9-2-14, 4-19-16

- 8.1. ***Susan G. Abraham Memorial Endowed Scholarship*** provides the opportunity to learn to swim (see 8.9 & 8.10) to those who could not otherwise afford it. The scholarship is based on individual assessment of financial need and recipient must be resident of RSU #22 District.
(Amended 9/19/2011; 9/2/2014)

- 8.2. ***Annual Resident Membership Fees:*** *(Amended 9/2/2014) (Amended 11/6/17)*

8.2.1. Family	\$276.00
8.2.2. Single Adult	\$168.00
8.2.3. Youth/Teen	\$130.00
8.2.4. Senior	\$157.00

- 8.3. ***Six Month Resident Membership Fees:*** *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.3.1. Family	\$173.00
8.3.2. Single Adult	\$106.00
8.3.3. Youth/Teen	\$ 83.00
8.3.4. Senior	\$101.00

- 8.4. ***Three Month Resident Membership Fees:*** *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.4.1. Family	\$106.00
8.4.2. Single Adult	\$ 67.00
8.4.3. Youth/Teen	\$ 57.00
8.4.4. Senior	\$ 62.00

- 8.5. ***Annual Non-Resident Membership Fees:*** *(Amended 9/2/2014) (Amended 11/6/17)*

8.5.1. Family	\$309.00
8.5.2. Single Adult	\$198.00
8.5.3. Youth/Teen	\$160.00
8.5.4. Senior	\$188.00

- 8.6. ***Six Month Non-Resident Membership Fees:*** *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.6.1. Family	\$193.00
8.6.2. Single Adult	\$125.00
8.6.3. Youth/Teen	\$103.00
8.6.4. Senior	\$119.00

- 8.7. ***Three Month Non- Resident Membership Fees:*** *(Amended 9/2/2014; 4/19/16) (Amended 11/6/17)*

8.7.1. Family	\$119.00
8.7.2. Single Adult	\$ 80.00
8.7.3. Youth/Teen	\$ 68.00
8.7.4. Senior	\$ 74.00

- 8.8. ***Daily Swim Fee for non-members*** *(Amended 9/19/2011; 9/2/2014) (Amended 11/6/17)*

8.8.1. Single Swim - Resident	\$ 5.00
8.8.2. Single Swim – Non-Resident	\$ 6.00
8.8.3. Resident 12 Use Punch Card	\$ 48.00
8.8.4. Non-Resident 12 Use Punch Card	\$ 60.00

- 8.9. Resident Swim Lessons** *(Amended 9/19/2011; 9/2/2014) (Amended 11/6/17)*
- 8.9.1. Members \$5.00 per class
- 8.9.2. Non-Members \$6.50 per class
- 8.10. Non-Resident Swim Lessons** *(Amended 9/19/2011; 9/2/2014; 4/19/16) (Amended 11/6/17)*
- 8.10.1. Members \$7.00 per class
- 8.10.2. Non-Members \$9.00 per class
- 8.11. Private Swim Lessons** *(Amended 9/19/2011) (Amended 11/6/17)*
- 8.11.1 Resident Member
- 1 Child \$16.00 per class
- 2 Children \$21.00 per class
- 8.11.2. Resident Non-member
- 1 Child \$21.00 per class
- 2 Children \$26.00 per class
- 8.11.3 Non-resident Member
- 1 Child \$21.00 per class
- 2 Children \$26.00 per class
- 8.11.4 Non-resident Non-member
- 1 Child \$26.00 per class
- 2 Children \$32.00 per class
- 8.12. Deleted** *November 27, 2012*
- 8.13. Deleted** *November 27, 2012*
- 8.14. Adult Aqua Fitness:** *(Amended 4/19/16) (Amended 11/6/17)*
- 8.14.1. Residents \$5.00/class
- 8.14.2. Non-Residents \$6.00/class
- 8.15. Gentle Aerobics** *(deleted 9/19/2011)*
- 8.16. Pool Party Package** *(Limited Availability): (Amended 9/19/2011; 9/2/2014; 4/19/16)*
(Amended 11/6/17)
- 8.16.1. Resident Pool/Lounge Rental (up to 50 total guests) \$100.00/hour
- 8.16.2. ~~(DELETED 11/6/17)~~
- 8.16.3. Non-Resident Pool/Lounge Rental (up to 50 total guests) \$125.00/hour
- 8.16.4. ~~(DELETED 11/6/17)~~
- 8.16.5. ~~(DELETED 11/6/17)~~
- Note: Pool Party Package payments due in full at time of rental. Payments may be made online or in person, and may be paid by cash, check or credit card.*
- 8.17. Swim Diaper** \$1.00

**ARTICLE 9
ANNUAL REVIEW BY TOWN COUNCIL**

- 9.1** An itemized listing of fees for each town department will be submitted to the Town Council by the Town Manager on or before October of each year for the Council's review, revision, and approval.



Appendix A: Town of Hampden
Sewer Connection Fee Calculation Worksheet

Date: _____

Sewer Connection Location: _____

Address: _____

Contractor Name & Address

Name: _____

Address: _____

Phone: _____

Paid: _____

Check Number: _____

Eng Receipt: _____

Date: _____

Owner Name & Address

Name: _____

Address: _____

Phone: _____

Property Use: If applicable

Food Service Provided Y N

Grease Interceptor Y N

Oil/Sand Separator Y N

Area 1:	gpd/unit	\$/gpd	Fee	Category
Square feet		1.06	\$	
Units		1.06	\$	
Seats		1.06	\$	
Beds		1.06	\$	
Other		1.06	\$	

Area 2:	gpd/unit	\$/gpd	Fee
Square Feet		1.06	\$
Units		1.06	\$
Seats		1.06	\$
Beds		1.06	\$
Other		1.06	\$

Area 3:	gpd/unit	\$/gpd	Fee
Square Feet		1.06	\$
Units		1.06	\$
Seats		1.06	\$
Beds		1.06	\$
Other		1.06	\$

Total Connection Fee: \$ _____
(minimum Fee for Sewer Connection \$50.00)



**Appendix B: Town of Hampden
Sewer Connection Fee Schedule**

Amusement Park	Determined by Public Works Director	
Apartment Building	185	gpd/unit
Auto Body Shop	0.05	gpd/ft ²
Auto Sales Garage	0.05	gpd/ft ²
Bakery	0.15	gpd/ft ²
Bank	0.1	gpd/ft ²
Barber Shop	0.35	gpd/ft ²
Beauty Salon	0.75	gpd/ft ²
Boarding House	50	gpd/bed
Bowling Alley	75	gpd/lane
Car Wash	Determined by Public Works Director	
Church (sanctuary)	185	gpd
Day Care	10	gpd/child
Dry Cleaners	0.15	gpd/ft ²
Duplex, any Combination	270	gpd/unit
Fast Food Restaurant (no table service)	20	gpd/seat
Funeral Home	0.05	gpd/ft ²
Government Building	0.1	gpd/ft ²
Health Club	0.15	gpd/ft ²
Hospitals	150	gpd/bed
Hotels/Motels	100	gpd/unit
Industrial (process flow)	Determined by Public Works Director	
Laundry	2.0	gpd/20lb machine
Lodge	0.25	gpd/ft ²
Medical/Dental	0.15	gpd/ft ²
Mobile Homes	270	gpd
Nursing	100	gpd/bed
Offices	0.06	gpd/ft ²
Restaurant	35	gpd/seat
Retail	0.05	gpd/ft ²
Retirement	120	gpd/unit
Schools	10	gpd/student
Senior Housing Facility	65	gpd/island
Single Family Homes	270	gpd
Supermarket	0.05	gpd/ft ²
Taverns, Bars, Lounges	0.09	gpd/ft ²
Theater	3	gpd/seat
Train/Bus Stations	0.075	gpd/ft ²
Utilities	0.01	gpd/ft ²
Veterinarians	0.65	gpd/ft ²
Warehouse	0.05	gpd/ft ²

Sgt. T.D. Stewart
Sgt. Chris Bailey
Ofc. J.D. Burke
Ofc. Shawn Devine
Ofc. Wm. Miller
Ofc. Tony Lorenz

Sgt. Scott Webber
Inv. Joel Small
Ofc. Ben Eyles
Ofc. Marc Egan
Ofc. David Mushrall
Ofc. Jeff Rice



Lt. Dan Pugsley, Jr.
Lt. Jason Lundstrom
FF Jared LeBarnes
FF Shaun McNally
FF Matt Roope
FF Gavin Webb
FF Larry Hayward
FF Ken Roy
FF Oliver Bianchi

Lt. Matt StPierre
CH Joe Duntton
FF Matt Thomas
CEO Myles Block
FF Chris Liepold
FF Ed Gardella
FF Dani Green
FF Chad Sparon
FF Wm. Auger

Kandy McCullough, Office Manager
Chief Joseph L. Rogers, Director of Public Safety

POLICE

FIRE

EMS

CODE ENFORCEMENT

LOCAL HEALTH OFFICE

Memorandum

To: Mayor McPike and Hampden Town Councilors
From: Myles Block, Code Enforcement Officer *MB*
Date: September 24, 2018
CC: Jim Chandler, Town Manager, Joseph L. Rogers, Director of Public Safety, Paula Scott, Town Clerk
Re: Outdoor Wood Boiler Annual Licensing Ordinance Repeal

This memo is to request that the Town Council repeal the Town of Hampden Outdoor Wood Boiler Annual Licensing Ordinance. In consultation with Lt. Jason Lundstrom, Fire Inspector, we believe this Ordinance is now unnecessary for the regulation and use of Outdoor Wood Boilers.

The regulation of Outdoor Wood Boilers is covered under Chapter 150 of Maine DEP Rules, "CONTROL OF EMISSIONS FROM OUTDOOR WOOD BOILERS," and Uncertified (by the EPA Outdoor Wood-fired Hydronic Heater Program) Outdoor Wood Boilers cannot be imported, sold or installed in Maine. Nuisance smoke is also defined and regulated under Maine DEP rules. I also found that Maine DEP Setback requirements from property lines and neighboring residences is either the same or more strict than our Ordinance.

The only regulation that we have that I did not see in Maine DEP rules is the Months of Operation which restrict operation in the Town of Hampden from May 1st to October 1st.

Overall, we do not see any benefit in the Town having this licensing requirement anymore and violations can more easily be handled and enforced by Maine DEP.

Thank you for your consideration.

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains
Proposed Repeal of the OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

~~ADOPTED: Hampden Town Council, March 19, 2007~~
~~Effective Date: April 18, 2007~~

REPEALED: Hampden Town Council, October 15, 2018
Effective Date: October 16, 2018

~~CERTIFIED BY: Denise Hodsdon~~
~~_____ Name~~

~~Town Clerk~~
~~Title Affix Seal~~

~~OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING ORDINANCE~~ **~~CONTENTS~~**

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**TOWN OF HAMPDEN, MAINE
OUTDOOR WOOD-FIRED BOILER ANNUAL LICENSING ORDINANCE**

**ARTICLE 1
TITLE AND PURPOSE**

1.1. Title. This chapter shall be known as the "Town of Hampden, Maine Outdoor Wood-Fired Boiler Annual Licensing Ordinance."

1.2. Home Rule Authority. It is adopted pursuant to Municipal Home Rule Law.

1.3. Purpose. Although outdoor wood-fired boilers may provide an economical alternative to conventional heating systems, concerns have been raised regarding the safety and environmental impacts of these heating devices, particularly the production of offensive odors and potential health effects of uncontrolled emissions. This Ordinance is intended to ensure that outdoor wood-fired boilers are utilized in a manner that does not create a nuisance and is not detrimental to the health, safety and general welfare of the residents of the Town.

**ARTICLE 2
DEFINITIONS**

2.1. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

"Outdoor wood-fired boiler (OWB)" (same as outdoor wood-fired furnace) means an accessory structure or appliance capable of being installed out of doors and designed to transfer or provide heat, via liquid or other means, through the burning of wood or any other nongaseous or non-liquid fuels for heating spaces other than where such structure or appliance is located, any other structure or appliance on the premises, or for heating domestic, swimming pool, hot tub or Jacuzzi water. "Outdoor wood-fired boiler or furnace" does not include a fire pit, wood-fired barbecue, or chiminea.

"Nuisance" means any odor, emission, or event that prevents the reasonable use and enjoyment of one's property. For purposes of this ordinance, an OWB shall constitute a nuisance following three or more verified complaints within any 30 day period.

"Firewood" means trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than three inches in diameter.

"Untreated lumber" means dry wood which has been milled and dried but which has not been treated or combined with any petroleum product, chemical, preservative, glue, adhesive, stain, paint or other substance.

**ARTICLE 3
ANNUAL LICENSE REQUIRED**

3.1. Annual license required. In addition to any permit required under the Town's Fire Prevention Code, no person shall cause, allow or maintain the use of an outdoor wood-fired boiler within the Town of Hampden, Maine without first having obtained an annual license from the Hampden Town Council. Application for annual license shall be made to the Town Clerk on the forms provided.

~~3.2— **Standards for initial license.** The Town Council shall issue an initial license for an outdoor wood-fired boiler if it determines that:~~

~~3.2.1— A permit has been issued for the proposed outdoor wood fired boiler under the Fire Prevention Code; and~~

~~3.2.2— The proposed outdoor wood fired boiler complies with the requirements of Sections 4.2, 4.3, 4.4 and 4.6 of this Ordinance.~~

~~3.3— **Standards for renewal license.** The Town Council shall issue a renewal license for an outdoor wood-fired boiler if it determines that:~~

~~3.3.1— The code official responsible for enforcement of the Fire Prevention Code provides written documentation to the effect that the outdoor wood fired boiler is in compliance with the applicable provisions of that Code;~~

~~3.3.2— The outdoor wood fired boiler is in compliance with the requirements of Sections 4.2, 4.3, 4.4, and 4.6 of this Ordinance;~~

~~3.3.3— The outdoor wood fired boiler was operated in compliance with the requirements of Sections 4.1 and 4.5 of this Ordinance during the preceding year; and~~

~~3.3.4— None of the conditions set forth in Sections 5.1.1, 5.1.2, 5.1.3, 5.1.4, or 5.1.5 of this Ordinance occurred during the preceding year.~~

~~3.4. **Existing outdoor wood-fired boilers.** Any outdoor wood fired boiler that was installed, connected, and operating as of the effective date of this Ordinance shall be permitted to remain, provided that the owner applies for and receives an annual license from the Town Council within 120 days of such effective date. Provided, however, that upon the effective date of this Ordinance all the provisions of this Ordinance, except Sections 4.2 *Permitted Zones*, 4.3 *Minimum Lot Size*, and 4.4 *Setbacks* in the event and to the extent that the existing outdoor wood fired boiler in question does not comply with the same, shall immediately apply to any existing outdoor wood fired boiler. Any existing outdoor wood fired boiler that is not in compliance with Sections 4.3 and 4.4 shall not be made more nonconforming. If the owner of an existing outdoor wood fired boiler does not receive a permit within one year of the effective date of this Ordinance, the outdoor wood fired boiler shall be removed.~~

ARTICLE 4 SPECIFIC REQUIREMENTS

~~4.1. **Permitted fuel.** Only firewood and untreated lumber are permitted to be burned in any outdoor wood-fired boiler. Burning of any and all other materials in an outdoor wood fired boiler is prohibited.~~

~~4.2. **Permitted zones.** Outdoor wood fired boilers shall be permitted in all zoning districts except the Resource Protection District as shown on the Town's Zoning Map.~~

~~4.3. **Minimum lot size.** Outdoor wood fired boilers shall be permitted only on lots of three acres or more.~~

~~4.4. **Setbacks.** Outdoor wood fired boilers shall be set back not less than 150 feet from the nearest lot line. Additionally, outdoor wood fired boilers shall be set back not less than 200 feet from neighboring residences.~~

~~4.5. **Months of operation.** Outdoor wood-fired boilers shall be prohibited from operation between the dates of May 1 and October 1.~~

~~4.6. **Spark arrestors.** All outdoor wood-fired boilers shall be equipped with properly functioning spark arrestors.~~

~~4.7. **Continued compliance required.** If an outdoor wood-fired boiler is installed in compliance with Sections 4.3 and 4.4, the outdoor wood-fired boiler may not be used if the lot on which it is situated is altered so that the minimum lot size or setback(s) are no longer met.~~

ARTICLE 5

REVOCATION OF LICENSE

~~5.1. **Revocation of license.** A license issued pursuant to this Ordinance may, after notice and hearing, be revoked as the Town Council may determine to be necessary to protect the public health, safety and welfare of the residents of the Town of Hampden if any of the following conditions occur:~~

~~5.1.1. Emissions from the outdoor wood-fired boiler exhibit opacity that obscures or partially obscures clear view of structures and trees that lay behind the smoke and haze on either the property where the outdoor wood-fired boiler is located or on adjoining properties. This may be evidenced by photographs that are time dated;~~

~~5.1.2. Malodorous air contaminants from the outdoor wood-fired boiler are detectable outside the property boundaries of the land on which the outdoor wood-fired boiler is located. This may be evidenced by Town Public Safety Officials;~~

~~5.1.3. The emissions from the outdoor wood-fired boiler interfere with the reasonable enjoyment of life or property;~~

~~5.1.4. The emissions from the outdoor wood-fired boiler cause damage to vegetation or property; or~~

~~5.1.5. The emissions from the outdoor wood-fired boiler are or may be harmful to human or animal health.~~

~~5.2. **Prohibited use after revocation.** If a license is revoked, the outdoor wood-fired boiler in question shall not be used or operated.~~

~~5.3. **Reinstatement of license.** A revoked license may be reinstated once the condition which resulted in revocation is remedied and reasonable assurances are given that such condition will not recur. Recurrence of a condition which has previously resulted in revocation of a license shall be considered a violation of this Ordinance subject to the penalties provided in Section 7.1 *Penalties for offenses* hereof.~~

ARTICLE 6

WAIVERS

~~6.1. **Waivers.** Where the Town Council finds that extraordinary and unnecessary hardships may result from strict compliance with this Ordinance, it may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variations will not have the effect of nullifying~~

~~the intent and purpose of this Ordinance or of jeopardizing the health, safety or welfare of the public. In varying any regulations, the Town Council may impose such conditions and requirements as it deems reasonable and prudent. The Town Council may, at its discretion, hold a public hearing as part of its review. If the Town Council grants the waiver, a license shall be issued for the outdoor wood-fired boiler. If the Town Council denies the waiver, the outdoor wood-fired boiler must either be brought into compliance with this Ordinance or removed. If the Town Council does not take any action with respect to the waiver within 60 days from its receipt of an application for waiver, the waiver shall be deemed denied.~~

ARTICLE 7 PENALTIES

~~7.1. *Penalties for offenses.* Failure to comply with any of the provisions of this Ordinance shall be a violation and, upon conviction thereof, shall be subject to a civil penalty in accordance with Title 30-A M.R.S.A. §4452. In addition, any license issued pursuant to this Ordinance shall be revoked upon conviction of a second offense and the subject outdoor wood-fired boiler shall not be eligible for another license. Each day that a violation occurs shall constitute a separate offense. All penalties shall inure to the benefit of the Town of Hampden. The owners of premises upon which prohibited acts occur shall be jointly and severally liable for violations of this Ordinance. Violators shall also be responsible for any and all court fees, expert witness fees, costs, and reasonable attorney fees if the Town is the prevailing party in an enforcement action.~~

ARTICLE 8 EFFECT ON OTHER REGULATIONS

~~8.1. *Effect on other regulations.* Nothing contained herein shall authorize or allow burning which is prohibited by codes, laws, rules or regulations promulgated by the United States Environmental Protection Agency, Maine Department of Environmental Protection or any other federal, state, regional or local agency. Outdoor wood-fired boilers, and any electrical, plumbing or other apparatus or device used in connection with outdoor wood-fired boilers, shall be installed, operated and maintained in conformity with the manufacturer's specifications and instructions and any and all local, state and federal codes, laws, rules and regulations. In case of a conflict between any provision of this Ordinance and any applicable federal, state or local ordinances, codes, laws, rules or regulations, the more restrictive or stringent provision or requirement shall prevail.~~

ARTICLE 9 SEVERABILITY

~~9.1. *Severability.* Should any provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.~~

ARTICLE 10 EFFECTIVE DATE

~~10.1. *Effective Date.* The effective date of this Ordinance shall be 30 days from the date of adoption by the Town Council.~~



MEMORANDUM

4-d

106 Western Avenue
Hampden, Maine 04444
Office: 207-862-3034
Facsimile: 207-862-5067

TO: Town Council
FROM: Jim Chandler, Town Manager *JNC*
COPY: Sean Currier, Public Works Director
DATE: October 1, 2018
RE: Proposed Vehicle Weight Restrictions Amendment to Town Ways Ordinance

Please find attached proposed language to amend the Town Ways Ordinance to add an Article addressing vehicle weight restrictions on town way bridges and culverts.

Background

The Maine Department of Transportation (MDOT) routinely inspects three locally-maintained bridges and identified deficiencies or preventative maintenance issues with two bridges within the Town. Specifically, the Manning Mill Bridge and Sawyer Road Culvert were assessed and are the subject of comprehensive reports provided to the Town in November 2017. This issue was discussed at Council meetings in July and August and as result of a public hearing held August 20th the Town has placed before voters in November a referendum question to fund the approximately \$450,000 estimated to complete repairs on these two bridges.

Recommendation of Proposed Ordinance Amendment

Staff recommends Council schedule the required public hearing for the purpose of adopting the proposed amended Town Ways Ordinance, which will include vehicle weight restrictions on designated town way bridges and culvert crossings. This amendment language has been prepared with the following items:

- MMA Sample Ordinance language provided by their Legal Services team
- Discussions with Maine DOT staff (previous and ongoing)
- Research of applicable MRSA Statutes (attached for your reference) specifically:
 - Title 29-A §2387. BRIDGE LOADS
 - Title 23 §5637. BRIDGE LOADS – INSPECTION, POSTING AND CLOSURE
- Manual for Uniform Traffic Control Devices (MUTCD), Section 6F.10 of the 2009 edition

The proposed amendment language is required to address the necessary precautionary warnings, restrictions and postings of bridges on town ways, pursuant to requirements of the State of Maine as defined in the appropriate Statutes enumerated in the ordinance language.

Legal Review

Review of the attached draft proposed amendment has been forwarded to our Counsel at Rudman Winchell, and final language presented for Public Hearing will be subject to any edits suggested by their review.

Fiscal Impacts

The cost of implementing this amended ordinance has nominal fiscal impact, in the form of purchase and installation of signs for the crossings of the Manning Mill Bridge and Sawyer Road Culvert.

TOWN OF HAMPDEN

The Town of Hampden Hereby Ordains

Proposed Amendment: “**Article 4. Vehicle Weight Restrictions**” to the Town Ways Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

Existing Ordinance Table of Contents below. Complete text available online.

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TOWN OF HAMPDEN

Proposed New Language is everything below:

Added to Article I.

1. 3. Definitions - Except as otherwise provided herein, the definitions contained in Title 29-A M.R.S.A. shall govern the construction of words contained in this Ordinance. Any words not defined therein shall be given their common and ordinary meaning.

Added in its entirety as Article IV.

4.1. Vehicle Weight Restrictions - Upon designation by the Town Manager and approval of the Town Council, vehicle weight limits and restrictions may be applied to bridges and culverts as may be located on town public ways, to prevent damage to town ways and bridges in the Town of Hampden. Such restrictions may be applied to vehicles of excessive weight, to lessen safety hazards and the risk of injury to the traveling public, to extend the life expectancy of town ways and bridges, and to reduce the public expense of their maintenance and repair. The Town Ways Ordinance is amended and adopted pursuant to 30-A M.R.S.A. § 3009; 29-A M.R.S.A. §§ 2395, 2387-2388; and 23 M.R.S.A. § 563.

4. 2. Restrictions and Notices - The Town Manager may, either permanently or seasonally, impose such restrictions on the gross registered weight of vehicles as may, in the Town's judgment, be necessary to protect the traveling public and prevent abuse of the highways, and designate the town ways and bridges to which the restrictions shall apply.

Whenever notice has been posted as provided herein, no person may thereafter operate any vehicle with a gross registered weight in excess of the restriction during any applicable time period on any way or bridge so posted unless otherwise exempt as provided herein.

Pursuant to 29-A M.R.S.A. § 2395, the notice shall contain, at a minimum, the following information: the name of the way or bridge, the gross registered weight limit, the time period during which the restriction applies, the date on which the notice was posted. The notice shall be conspicuously posted at each end of the restricted portion of the way or bridge in a location clearly visible from the traveled way, unless on a dead-end way where only the entering side shall be posted.

The Town may post specific vehicle weight restrictions on bridges or town ways as may be deemed necessary for temporary conditions of bridges, culverts and town ways. Whenever a restriction expires or is lifted, the notices shall be removed wherever posted. Whenever a restriction is revised or extended, existing notices shall be removed and replaced with new notices. No person may remove, obscure or otherwise tamper with any notice so posted except as provided herein.

4. 3. Exemptions - The Town acknowledges the following exemptions, as defined by and from time to time may be changed, Maine Statute. Additionally, the Town may deem it appropriate

TOWN OF HAMPDEN

upon petition by a citizen to review requests for a waiver for a specific vehicle or circumstance at a given location that otherwise is not directly addressed in the exemptions listed below.

- The following vehicles are exempt under State law: Any vehicle delivering home heating fuel or organic animal bedding and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4) and, when necessary during a period of drought emergency declared by the governor, any vehicle transporting well-drilling equipment for the purpose of drilling a replacement well or for improving an existing well on property where that well is no longer supplying sufficient water for residential or agricultural purpose and operating in accordance with a permit issued by the MDOT under 29-A M.R.S.A. § 2395 (4-A).
- Frozen road exemption: This ordinance shall not apply to any restricted road which is frozen. The highway is considered “frozen” only when the air temperature is 32° F or below and no water is showing in the cracks of the road. Both conditions must be met.
- The following vehicles are also exempt under the specific provisions of this ordinance:
 1. Any vehicle or combination of vehicles registered for a gross weight of 23,000 pounds or less.
 2. Any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and traveling without a load other than tools or equipment necessary for the proper operation of the vehicle. This exemption does not apply to special mobile equipment. It shall be a defense to a violation of this sub-4. if the combined weight of any vehicle or combination of vehicles registered for a gross weight in excess of 23,000 pounds and its load is in fact less than 23,000 pounds.
 3. MaineDOT vehicles or other vehicles authorized by MaineDOT; or maintenance vehicles operated by the Town of Hampden or other municipality or county to maintain the roads under their authority.
 4. Any vehicle authorized by the Town of Hampden deemed necessary for the service or maintenance of properties not otherwise accessible except via passage over a particular bridge or culvert located on a town way.
 5. Authorized emergency vehicles as defined in 29-A M.R.S.A. § 2054, school buses, a wrecker towing a disabled vehicle of legal weight from a posted highway, and vehicles with three axles or fewer under the direction of a public utility and engaged in utility infrastructure maintenance or repair.
 6. Any two axle vehicles registered for a gross weight in excess of 23,000 pounds and less than or equal to 34,000 pounds that are carrying any of the Special Commodities may operate without a permit. Special Commodities includes any of the following:
 - a. Home delivered heating fuel (oil, gas, coal, stove size wood that is fewer than 36” in length, propane and wood pellets);
 - b. Petroleum products;
 - c. Groceries;
 - d. Bulk milk;
 - e. Bulk feed;
 - f. Solid waste;

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- g. Organic animal bedding;
- h. Returnable beverage containers;
- i. Sewage from private septic tanks or porta-potties; or
- j. Medical gases.

4. 4. *Enforcement* - This Ordinance shall be administered and may be enforced by the municipal officers or their duly authorized designee [such as town manager, road commissioner, code enforcement officer or law enforcement officer].

4. 5. *Civil Penalties* - Any violation of this Ordinance shall be a civil infraction subject to a fine of not less than \$250.00 nor more than \$1000.00. Each violation shall be deemed a separate offense. In addition to any fine, the municipality may seek restitution for the cost of repairs to any damaged way or bridge and reasonable attorney fees and costs. Prosecution shall be in the name of the Town of Hampden and shall be brought in the Maine District Court.

Maine Revised Statutes
Title 23: TRANSPORTATION
Chapter 9: BRIDGES

§563. INSPECTION, POSTING AND CLOSURE

The department shall inspect all structures on public ways. [2017, c. 154, §1 (AMD) .]

1. Municipal-maintained structures. For a structure for which a municipality has maintenance responsibility, the department shall advise the municipality of its inspection findings, noted deficiencies and recommendations regarding posting or closure. The municipality has sole responsibility and authority to determine whether a structure must be posted or closed, except that the department may close the structure in cases of emergency or when the department reasonably determines closure is necessary to protect the traveling public from imminent hazard. If the department becomes aware of deficiencies in a structure that could impact posting or closure decisions, the department shall promptly notify the municipality. The municipality is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

[2001, c. 314, §2 (NEW); 2001, c. 314, §4 (AFF) .]

2. Department-maintained structures. For a structure for which the department has maintenance responsibility, the department has sole responsibility and authority to determine whether the structure must be posted or closed, except that a municipality may close the structure in cases of emergency. If the municipality becomes aware of deficiencies in a structure that could impact posting or closure decisions, the municipality shall promptly notify the department. The department is responsible for all costs and expenses related to the posting and closure, including any needed notifications, procedures, signing and barricades.

[2001, c. 314, §2 (NEW); 2001, c. 314, §4 (AFF) .]

SECTION HISTORY

2001, c. 314, §2 (NEW). 2001, c. 314, §4 (AFF). 2001, c. 667, §§20,22 (AFF). 2017, c. 154, §1 (AMD) .

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Maine Revised Statutes
Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 21: WEIGHT, DIMENSION AND PROTECTION OF WAYS

§2387. BRIDGE LOADS

1. Local authority to limit weight, number or speed. Officials responsible for the repair and maintenance of a bridge may limit the combined weight of vehicle and load or any axle, or the number or speed of vehicles permitted on a bridge to the limit necessary for the safety of life or property or the maintenance of the bridge.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

2. Department of Transportation responsibility. If an official fails to set limits, the Department of Transportation may set limits.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

3. Posting. Regulations are in effect when notice is conspicuously posted at each end of a bridge.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

4. Advice. Limits must be based on the advice of the Department of Transportation or a registered professional civil engineer retained for the purpose of inspecting and determining the safe capacity of bridges. In an emergency, the officials may set limits as they may determine proper for the structural capacity or the maintenance of the bridge.

As soon as is reasonably possible, the officials shall seek the advice of the Department of Transportation.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

5. Penalty. Violation of a posted bridge weight limit is a traffic violation, for which a forfeiture of \$20 per each full 1,000 pounds plus \$30 per each full 10% over the posted limit may be adjudged.

It is not a violation if the excess weight is less than 500 pounds multiplied by the number of axles less one.

If the violation is for excess weight less than 1,000 pounds multiplied by the number of axles less one, the fine is reduced by 50%.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

SECTION HISTORY

1993, c. 683, §A2 (NEW). 1993, c. 683, §B5 (AFF) .

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